

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

24-23171 BKOBJ01
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Freedom Mortgage Corporation

In Re:

Brienne Pearson AKA BRIEANNE E. PEARSON
AKA BRIEANNE ELIZABETH PEARSON

Case No: 24-17821-JNP

Hearing Date: October 16,
2024

Judge: JERROLD N.
POSLUSNY JR.

Chapter: 13

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Freedom Mortgage Corporation ("Creditor"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* [DE 3], and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on August 6, 2024.
2. Creditor holds a security interest in the Debtor's real property located at 62 ERASER RD, Moorestown, NJ 08057 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on August 6, 2024 [DE 3].
4. The Plan includes payments toward the Note and Mortgage with Creditor, however the figures used by the Debtor are inaccurate. Although Creditor has not yet filed its Proof of Claim, it is anticipated that the claim will include pre-petition arrearage totaling \$9,977.85, whereas the Plan proposes to pay only \$7,701.38.

5. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Creditor objects to any plan which proposes to pay it anything less than \$9,977.85 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Creditor respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Creditor as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Matthew Fissel

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Andrew Spivack, NJ Bar No. 018141999
Jay Jones, NJ Bar No. 972011
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CERTIFICATION OF SERVICE

1. I, Elizabeth Oliver:

☐ represent _____ in this matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents Freedom Mortgage Corporation in this matter.

☐ am the _____ in this case and am representing myself.

2. On the undersigned date, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: September 12, 2024

/s/ Elizabeth Oliver
Elizabeth Oliver

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Brieanne Pearson 62 Eraser Rd Moorestown, NJ 08057	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
LEE MARTIN PERLMAN 1926 GREENTREE ROAD SUITE 100 CHERRY HILL, NJ 08003	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Andrew B Finberg 535 Route 38 Suite 580 Cherry Hill, NJ 08002	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
U.S. Trustee US Dept of Justice	US Trustee	<input type="checkbox"/> Hand-delivered

<p>Office of the US Trustee, One Newark Center Ste 2100 Newark, NJ 07102</p>		<p><input type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>
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* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.